

REMARKS

Reconsideration of this application is respectfully requested. Claims 1-3, 6, 10-13, 15-16, 19, and 24-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Minne et al. (US 6950129 B1). Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Minne et al. (US 6950129 B1). Claims 4-5, 8-9, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Matsuura et al. (US 20010030773 A1). Claims 7, 14, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Culp et al. (US 6973453 B2). Claims 17 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Haas et al. (US 20040012810 A1). Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Tanaka et al. (US 20030001959 A1).

Claim 10 has been amended. No claims have been canceled.

Applicants acknowledge that the Office Action has considered Applicant's arguments with respect to claims 1-25 but are moot in view of the new ground(s) of rejection. Applicants address the new grounds for rejection below.

Claims 1-3, 6, 10-13, 15-16, 19, and 24-25 stand rejected under 35 U.S.C. 102(e) as being anticipated by Minne et al. (US 6950129 B1). Applicants respectfully disagree.

The Office Action states: Minne discloses a method, comprising: limiting a one-time-use digital video camera having a digital storage medium for a single use cycle;

configuring a digital storage medium to store in a digital form captured video footage including video images and sound data, where both the recorded images and the captured sound are combined into the captured video footage.

However, Minne fails to disclose anything about combining the recorded images and the captured sound into captured video footage. The only thing Minne discloses about recording sound is that “the digital camera can record sound associated with those captured images” (Minne, column 4, lines 19-20) and that “a microphone is utilized for receiving a sound signal associated with a captured image” (Minne, column 6, lines 15-16). Minne does not disclose, suggest, or teach how the recorded sound is stored, much less combining the recorded sound with the video image to create a single video footage file for storage.

Applicants also traverse the office actions general assumption that because a battery status indicator is disclosed in Minne, then that somehow discloses that a Direct Current power source powers 1) the microphone, 2) the digital video image sensor, 3) the digital audio sensor, 4) the processing unit, 5) the display, and 6) the non-volatile digital storage medium. As discussed above, Minne does not even specifically mention one or more of the above components. Therefore, it would not be inherent or obvious after reading Minne that a non-disclosed DC power source would power all of the non-disclosed components.

Independent claims 11 and 15 also recite limitations directed at combining the recorded sound with the video image to create a single video footage file for storage and a DC power source that powers a number of components. Therefore, these claims

are also patentable, along with independent claim 1, are patentably distinct from Minne for their own reasons but similar to the above arguments.

Given that claims 2, 3, 6, 10, 12, 13, 16, 19, 24, and 25 depend from and include the limitations of independent claim 1, 11, or 15, Applicants submit that these claims are not anticipated by Minne under 35 U.S.C. 102(e).

Claims 4-5, 7-9, 14, 17-18, and 20-23 stand rejected under 35 U.S.C. 103(a). Applicants respectfully disagree. These claims depend from patentable independent claims 1, 11, and 15. The additional references cited by the Office Action do not make up for the deficiencies in Minne discussed above. Thus, independent claims 1, 11, and 15, and their respective dependent claims are patentably distinct from Minne and the various combined references under 35 U.S.C. 103 for their own reasons but similar to the above arguments.

Claim 10 is further patentable for the following reason.

Claim 10 states “wherein a limiting use component contained within the one time use camera restricts the use of the one-time-use digital video camera for a single use cycle and the limiting use component is the digital storage medium located inside the digital video camera in an area inaccessible to the user, wherein the digital storage medium is capable of capturing video footage until the digital storage medium is full but the digital storage medium being located inside the digital video camera and in an area inaccessible to the user forces retrieval of the captured video footage to merely be obtainable through the communication port.” The memory cards in Minne storing the video files are fully accessible to the user and Minne discloses replacing a full memory card with a second memory card. Accordingly, Minne teaches “Modern digital cameras

use removable memory storage, typically in the form of a memory card. Once a memory card is full it can be removed from the camera and replaced by a another memory card.” and “capturing digital images with the one-time-use digital camera until the memory in the first housing portion is full; and replacing the first housing portion with a third housing portion having a memory with available storage.”

Conclusion

It is respectfully submitted that in view of the amendments and remarks set forth herein, the rejections and objections have been overcome. Applicants reserve all rights with respect to the application of the doctrine equivalents. If there are any additional charges, please charge them to our Deposit Account No. 50-2191. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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